



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
CADET FUNDING, LLC,

Plaintiff,

-v-

EUGENE HOOSER,

Defendant.
-----X

11 Civ. 1140 (JPO)

MEMORANDUM AND
ORDER

J. PAUL OETKEN, District Judge:

Plaintiff Cadet Funding LLC (“Cadet”), a litigation funding entity, brought claims for breach of contract and fraud against Defendant Eugene Hooser, a former agent, asserting that he created fictitious cases for Cadet to fund and misappropriated funds. Hooser failed to respond to the Complaint, and the Court entered a default judgment against Hooser on December 14, 2011, for an amount that was to be determined by an inquest. Magistrate Judge Frank Maas subsequently issued a Report and Recommendation (“R & R”), in which he recommends that the Court should award Cadet damages in the amount of \$304,982, plus prejudgment interest in the amount of \$22,560. No party has filed any objections to the R & R and the time for filing such objections has passed.

This Court “may accept, reject, or modify, in whole or in part, the findings or recommendations” of a magistrate judge. The Court reviews *de novo* those parts of the R & R to which objections are made and reviews the remainder for clear error. 28 U.S.C. § 636(b)(1); *see also* Fed.R.Civ.P. 72.

After reviewing Judge Maas's R & R, to which no objections were filed, this Court concludes that there is no clear error and, accordingly, adopts the R & R in its entirety. Cadet is awarded a total of \$327,542.

The Clerk of the Court is directed to close the case.

SO ORDERED.

Dated: New York, New York
August 24, 2012



J. PAUL OETKEN
United States District Judge